

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
COURT FILE NO.: CV – _____**

Travis Seeman,

Plaintiff,

v.

Central Credit Services, Inc.,

Defendant.

COMPLAINT

WITH JURY TRIAL DEMAND

JURISDICTION

- 1) Jurisdiction of this Court arises under 28 U.S.C. § 1331, pursuant to 15 U.S.C. § 1692k(d).
- 2) This action arises out of Defendant's violations of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq. ("FDCPA").

PARTIES

- 3) Plaintiff Travis Seeman (hereinafter "Plaintiff") is a natural person who resides in the City of Shakopee, County of Scott, State of Minnesota, and is a "consumer" as that term is defined by 15 U.S.C. § 1692a(3).
- 4) Defendant Central Credit Services, Inc. (hereinafter "Defendant") is a foreign corporation and collection agency, headquartered in Jacksonville, FL and is a "debt collector" as that term is defined by 15 U.S.C. § 1692a(6).

FACTUAL ALLEGATIONS

- 5) Sometime prior to March 2008, Plaintiff allegedly incurred a debt for a JPMorgan Chase Bank N.A. credit card, which is a "consumer debt" as that term is defined by 15 U.S.C. § 1692a(5).

- 6) Plaintiff's alleged debt was transferred to Defendant for collection sometime prior to March 2008.
- 7) Defendant and its agents contacted Plaintiff in March and April 2008.
- 8) During one of the initial conversation Plaintiff had with one of Defendant's agents, Plaintiff specifically told Defendant to cease contacting his parents' home telephone number.
- 9) Then on May 5, 2008, Plaintiff received a message from Defendant's agent, Ms. York, leaving Plaintiff a message stating that it was the "Offices of Tina York," a return number and a claim number, in violation of 15 U.S.C. §§ 1692d, 1692e, 1692e(2), 1692e(3), and 1692e(14).
- 10) After receiving Defendant's message Plaintiff contact Defendant's agent and during this phone conversation, Defendant's agent, Ms. York, made a number of harassing statements, refused to listen to Plaintiff, and gave Plaintiff a number of ultimatums, in violation of 15 U.S.C. §§ 1692d, 1692e, 1692e(2), 1692e(5), 1692e(10), and 1692f, including telling Plaintiff:
 - that if Plaintiff does not make arrangement to pay the alleged debt there will be a "claim filed against" him;
 - going to get "sued";
 - "2 or 3 more days until he gets sued"; and
 - Next contact by Defendant will be a subpoena to appear in court if no payment is made in 2 or 3 days.
- 11) Plaintiff then contacted another of Defendant's agents, Scott Perkins, and was informed that Defendant's agent, Ms. York, was lying about the status of Plaintiff's account and that Ms. York is not an attorney.

- 12) Despite Plaintiff's earlier request that Defendant not contact his parents, on or about May 9, 2008, Plaintiff's parents received a voicemail message from Defendant's agent, Ms. York, in violation of 15 U.S.C. §§ 1692b, and 1692c(b), 1692d.
- 13) During this message from Defendant's agent, Ms. York, she states that Plaintiff needs to contact her "immediately," regarding the "pending file" against him and his "claim number" is 3751061, in violation of 15 U.S.C. §§ 1692d, 1692e, 1692e(2), and 1692e(14).
- 14) On or about May 12, 2008, Defendant sent Plaintiff a letter which falsely stated that there was an "agreement" between Plaintiff and the Defendant to "accept \$2397.63 by 5/19/2008," when said agreement was never reached, in violation of 15 U.S.C. §§ 1692e and 1692f.
- 15) Defendant's conduct has caused Plaintiff emotional distress, anxiety, embarrassment and extreme frustration over being repeatedly harassed by Defendant and disrupting his otherwise content relationship with his parents.
- 16) Since the calls to his parents by Defendant Plaintiff's relationship with his parents has adversely affected which causes him mental anguish.

TRIAL BY JURY

- 17) Plaintiff is entitled to and hereby demands a trial by jury. US Const. amend. 7. Fed. R. Civ. Pro. 38.

CAUSES OF ACTION

COUNT I.

**VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT - 15 U.S.C.
§1692 et seq**

- 18) Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.
- 19) The foregoing acts and omissions of Defendant constitute numerous and multiple violations of the FDCPA, including but not limited to each and every one of the above-cited provisions of the FDCPA, 15 U.S.C. § 1692 et seq.
- 20) As a result of Defendant's violations of the FDCPA, Plaintiff has suffered and is entitled to actual damages pursuant to 15 U.S.C. § 1692k(a)(1); statutory damages pursuant to 15 U.S.C. § 1692k(a)(2)(A); and, reasonable attorney's fees and costs pursuant to 15 U.S.C. § 1692k(a)(3) from Defendant.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully prays that relief be granted as follows:

- a) That judgment be entered against Defendant for actual damages, pursuant to 15 U.S.C. § 1692k(a)(1);
- b) That judgment be entered against Defendant for statutory damages pursuant to 15 U.S.C. § 1692k(a)(2)(A) and (B);
- c) That the Court award costs and reasonable attorneys' fees, pursuant to 15 U.S.C. § 1692k(a)(3); and
- d) That the Court grants such other and further relief as may be just and proper.

Dated this 9th day of June, 2008.

Respectfully submitted,

By: s/Thomas J. Lyons, Jr.
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ATTORNEY FOR PLAINTIFF

VERIFICATION OF COMPLAINT AND CERTIFICATION BY PLAINTIFF

STATE OF MINNESOTA)
) ss
COUNTY OF RAMSEY)

I, Travis Seeman, having first been duly sworn and upon oath, deposes and says as follows:

1. I am the Plaintiff in this civil proceeding.
2. I have read the above-entitled civil Complaint prepared by my attorney and I believe that all of the facts contained in it are true, to the best of my knowledge, information and belief formed after reasonable inquiry.
3. I believe that this civil Complaint is well grounded in fact and warranted by existing law or by a good faith argument for the extension, modification, or reversal of existing law.
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this civil Complaint in good faith and solely for the purposes set forth in it.

s/Travis Seeman
Travis Seeman

Subscribed and sworn to before me
this 9th day of June, 2008.

s/Thomas J. Lyons, Jr.
Notary Public